

[COUNSEL LISTED ON NEXT PAGE]

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

SEAN GUESS, on behalf of himself and all  
others similarly situated,

Plaintiff,

vs.

US BANCORP; US BANCORP  
INVESTMENTS; U.S. BANK N.A.; U.S.  
BANK d/b/a U.S. BANK HOME  
MORTGAGE; and DOES 1-50,

Defendants.

**Case No. C06-07535 – JF**

**The Honorable Jeremy Fogel**

**[PROPOSED] ORDER RE PARTIES'  
JOINT STIPULATION RE JOINDER OF  
ADDITIONAL PARTIES; REQUEST FOR  
APPROVAL OF SETTLEMENT  
DISMISSAL WITH PREJUDICE**

**BARROWAY TOPAZ KESSLER MELTZER & CHECK, LLP**

Alan R. Plutzik (Bar No. 077785)  
L. Timothy Fisher (Bar No. 191626)  
2125 Oak Grove Road, Suite 120  
Walnut Creek, California 94598  
Telephone: (925) 945-0200  
Facsimile: (925) 945-8792

- and -

Joseph H. Meltzer  
Gerald D. Wells, III (Bar No. 257496)  
Katherine B. Bornstein (Bar No. 249926)  
Robert J. Gray  
Robert W. Biela  
280 King of Prussia Road  
Radnor, PA 19087  
Telephone: (610) 667-7706  
Facsimile: (610) 667-7056

*Attorneys for Plaintiff Sean Guess*

**WINSTON & STRAWN LLP**

Joan B. Tucker Fife (SBN:144572)  
101 California Street  
San Francisco, CA 94111  
Telephone: 415-591-1000  
Facsimile: 415-591-1400

- and -

Jessie A. Kohler (SBN: 179363)  
Eric E. Suits (SBN: 232762)  
333 South Grand Avenue  
Los Angeles, CA 90071-1543  
Telephone: 213-615-1700  
Facsimile: 213-615-1750

*Attorneys for Defendants*

*US BANCORP, US BANCORP  
INVESTMENTS, U.S. BANK N.A., U.S. BANK*

1 IT IS HEREBY ORDERED that James Bader, Anthony Kanka, and Levearl Snider shall be  
2 joined as plaintiffs in the above-captioned case for the following causes of action only: (a) failure to  
3 pay overtime under the Federal Labor Standards Act ("FLSA") and (b) failure to pay the minimum  
4 wage under the FLSA.

5 IT IS HEREBY FURTHER ORDERED that the Court finds that the Confidential Settlement  
6 Agreements (which have been filed under seal), and the terms and conditions contained therein, are  
7 fair, adequate, and reasonable and were agreed to by all parties. Therefore, the Court hereby  
8 APPROVES the settlement on the terms and conditions provided in the Confidential Settlement  
9 Agreements.

10 IT IS HEREBY FURTHER ORDERED that the Complaint is dismissed with prejudice.

11 IT IS SO ORDERED.

12 Dated: 3/31/09

13   
14 The Honorable Jeremy Fogel  
15 United States District Court Judge  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28